The United States Bankruptcy Court
For the District of Delaware

In re: Syntax-Brillian Corporation et al.
Case Number 08-11407 (BLS)
Related Docket: 2294

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Denise Warrens motion to intervene in Alan Levine's Motion for Relief from Order Accepting into Evidence the Rayburn Declaration.

My name is Denise Warren. I am an American Citizen and will be turning 60 this year. I am currently on Disability from the Social Security Administration. I also receive a Disability check form a private insurance company. Together, these two checks compromise my only sources of income and amount to $4000 a month. My income does not cover my expenses because, even with medical insurance, I have to nearly $1000 a month or uncovered insurance, dentists and medication. To augment my Disability check, I have to take money from what remains of my savings. I had to refinance my condo to cover the losses I incurred from the SBC Ponzi scam. I was a few years from paying my condo off when my money was stolen by the SBC Ponzi scam operators.

I am a nurse by training and spent my entire adult life working for hospitals and clinics and Health Insurance companies (35 years). I was forced to stop working after my kidney failure which was caused by my debilitating side effects juvenile Diabetes. I was on home Dialysis for a year and had my kidney transplant three years ago. I got the kidney from my sister, Margret, who recently retired a thirty year career in nursing.

I continue to be debilitated by the side effects of my advanced stage chronic Diabetes and from the anti-rejection medication I have to take. In all, I have to take about 20 medications and it is a rare week when I do not have to make a doctor appointment. I have been hospitalized a number of times since my transplant and I cannot and have not traveled since my transplant.

I am not writing this to illicit sympathy from the Court. I am a New York Yankee who can only handle so much sympathy before I mistake it for pity. I am just letting you know that I regret being unable to attend the April 13, 2016 hearing because I would have liked to read these words in Court in the presence of whoever chooses to show up at the hearing.

I very rarely shout and I have a pleasing voice and I'm not one to get emotional in public. So I would have delivered this motion to the Court with the same tone that Judge Brendan Shannon used when he entered the order to accept fabricated evidence numbers on SBC's petition into evidence.

Aside from the pleasure of meeting you in person, I would have liked to take a first-hand look at the pile of forged documentation in the legal custody of the Court and I would asked the Court's permission to divide them by date into two exhibits – one for the forged documentation used to fabricate numbers for the SEC filings that ended on September 30, 2007 and one for all the other forged documentation.

I am satisfied that the Court and the Liquidation Trust now accept as fact that the first stack of forged documents have been determined to be forged and that the Court's legal analysis of how these documents were used sufficiently describes how these documents were used in a Ponzi scheme to defraud innocent investors. Among other things, this Court now accepts as facts that these forged documentation were used to fabricate numbers for the SEC filings is for the Period ending September 30, 2007 and that all the SEC filings were based on fabricated numbers backed up by forged documentation.

I am also satisfied that the Court now accepts as fact that James Li, Thomas Chow and Christopher Liu and other SBC officers and directors and employees forged these documents in the graphics department of SBC's Olevia operations in the City of Industry in California. So that as far as the crime of forgery is involved, the proper jurisdiction for the adjudication of Title 18 forgery statutes is California. I am also satisfied that the Liquidation Trust is in possession of these forged documents and he has informed the witness, Ahmed Amr, that the forged documents were moved across state lines after the filing of this Chapter 11 petition. They are now somewhere in Arizona.

We know where these documents were forged, the Liquidation Trust knows where they are now and we know that the Asset Purchase Agreement included all of Olevia falsified books and records including the forgeries. We also know or should understand that the execution of the Asset Purchase Agreement would have transferred custody of these forgeries to John and Michael Wu who were happy to pay 60 million dollars for the right to permanently conceal them from the evidence of these proceedings.

We also know that forgeries which were in the custody of SBC's officers and directors at the time the Chapter 11 petition was filed and that it remained in their custody until custody was transferred to the Liquidation Trust when the plan was confirmed in July, 2009. We also know that these very same officers and directors were involved in negotiating and approving the Asset Purchase Agreement and authorizing Gregory Rayburn and Nancy Mitchel to file SBC Chapter 11 petition.

We also know that John and Michael Wu were on the other side of these negotiations. We also know that John and Michael Wu and Silver Point managed to get this Court to sign off on the Asset Purchase Agreement even though the Office of the US Trustee had already petitioned for an examiner and the examiner had not yet reported to the Court.

We also know that when John and Michael Wu failed to perform on the contract, the debtors filed a complaint and the Court entered a judgment against TCV of $70 million plus a $3 million dollar weekly penalty until the judgement was satisfied. We also know that by the time of the hearing, 400 weeks have elapsed since this Court entered that judgment and that the value of that judgment is now approximately $1.2 billion. We also know that when Michael and John Wu failed to satisfy that judgment, this Court entered a second order against them for contempt and ordered their arrest.

The Court also accepts as fact from the First Day's Hearing that TCV, a company owned by Michael and John Wu was one of the two suppliers who were fulfilling orders from Target, the only Big Box client who was still purchasing HDTVs from SBC at the time the Chapter 11 petition was filed. We also know that TCV had acquired a 51% stake in Digimedia prior to the filing of the petition. We also know that SBC had once owned 16% of Digimedia and had no interests in Digimedia at the time of the filing and that a major shareholder in Digimedia was Kolin. We have yet to be informed of the identities of the other parties who collectively held 49% of Digimedia, a private company in Taiwan. We also know or should know that Harry Liu was the CEO of Digimedia at the time the petition was filed and that his brother-in-law was James Li and that James Li had once served as a Digimedia director and might have been a board member of Digimedia at the time the petition was filed.

I want to now discuss the second stack of forgeries which were produced during the Dark Period for which we have no SEC filings. And I think that, after a careful reading of Ahmed Amr's affidavit, it would be helpful to divide that stack into the forgeries produced in the period from October 1, 2007 and February 21, 2008.

On February 21, 2008, SBC's board of directors and officers issued a press release announcing a $99 million markdown related to a return of merchandise consisting of 26,000 custom made large screen TVs. The Court is now satisfied that there are forged documents in the Court's legal custody specifically related to the Chinese Olympics Transaction and that among those forged documents is a Return of Merchandise Agreement and the forged sales invoices and purchase orders that were produced to back up the authenticity of that agreement and that the

authenticity of the numbers derived from these forged documents and the illegitimacy of the $99 million markdown transaction which was related to the Chinese Olympics Sale.

And I will get to the crux of the matter about these forgeries by pointing out that "the Kolin Faction" continued to forge documents after September 30, 2007 and that those forged documents are in the legal custody of the Court. While in the legal custody of this Court, the SEC gained access to these documents, inspected them and eventually determined that "The Kolin Faction" had produced forgeries to back up the fabricated numbers on the SEC Filings.

The SEC filed a complaint against James Li, Thomas Chow and Christopher Liu and Vincent Sollitto in the United States District Court of Arizona where the Securities and Exchange Commission got a judgment for $60 million against James Li and Thomas Chow. The SEC judgment prohibited James Li and Thomas Chow from denying that they had engaged in the alleged fraudulent scheme. Essentially, the SEC settled their complaint without getting a confession from James Li and Thomas Chow. James Li consented to the judgment and Thomas Chow did not. James Li was ordered to make $12 million in restitution and Thomas Chow was ordered to make $48 million in restitution and so far the SEC has collected a grand total of $34,000. It is clear now that the SEC would have collected more restitution if it had fulfilled its legal mandate to intervene in these proceedings.

While the matter was before the "Arizona Court," the forgeries where in the joint custody of two Federal Courts. The SEC complaint was filed three years after the Chapter 11 petition was filed. The SEC complaint gave no analysis and shed no light on how the second stack of forged documentation that was used to fabricate numbers for the February 11, 2008 SEC filing related to the $99 markdown. That $99 markdown accounts for a considerable portion of the $407 million in the diminution of assets of the debtors in the nine months preceding the filing of the SBC Chapter 11 petition. No financial reports were filed with the Chapter 11 petition for the 'Dark Period.'

The Court now knows that the Kolin Faction also forged documentation to back up the "Kolin Deposits." For the record, that Kolin Deposit represents disbursements from SBC to Kolin in the amount of $130 million and those disbursements were cleared as 'on us' checks by Preferred Bank. Preferred Bank facilitated financial transactions between SBC and Kolin which both had accounts at Preferred Bank. Preferred Bank cleared the checks as 'on us' checks. The Preferred Bank clearance of these transfers as 'on us' would have escaped detection by Banking Regulators in California.

As of September 30, 2007, $123 million had already been conveyed to Kolin. An additional $7 million of tooling deposits were booked in the Dark Period. And it is important to give an accounting of when the last of these tooling deposits where entered into SBC's falsified books and records. I need a breakdown of the second stack of forged documentation that was produced for the purpose of authenticating the $99 markdown and I expect to have it from the Liquidation Trust prior to the April 13, 2016 hearing.

And I want the breakdown to be in sufficient detail to explain the portion of the forged documents that were used back up the $42 million dollars in unsecured claims to TCV and its Affiliates. I also want to know when the last entry related to those "cost of goods" purchase orders were entered into the records and all the false shipping documents associated with these entries. I will note here, for the record, that all $42 million of those claims were expunged by the Court on a motion of the Liquidation Trust.

And, while we're on the record, the transcripts from the First Day's hearing indicate that TCV and Digimedia, both owned by John and Michael Wu, were both still receiving disbursements in the Dark Period and that they continued to receive disbursements after the filing of the Chapter 11 petition via a critical vendor motion on behalf of Digimedia that was approved by the Court at the First Day's Hearing.

The "Wu family" had always had a minority stake in Digimedia which produced the Olevia Branded TVs and Kits that for both Kolin and TCV. Digimedia manufactured the "Kolin TVs" and SBC was selling them under the Olevia Brand. At the time of the filing Digimedia was still producing the same Olevia Branded HDTVs but was producing them for TCV instead of Kolin.

So TCV was the only suppliers of the Olevia branded HDTVs and TCVs' owners, Michael and John Wu, were represented as the only buyers willing to offer $60 million to get custody of the forgeries. It appears from the testimony in the First Day's Hearing that that Kolin stopped fulfilling orders by February or March. It could have been earlier or later. The Liquidation Trust would know and I will approach him for a date certain as to when Kolin stopped fulfilling orders and when TCV started fulfilling those Target orders. When did SBC receive the last 'Kolin/Digimedia' Olivia branded TVs and when did TCV start fulfilling 'TCV/Digimedia' orders or negotiating Purchase orders with Target.

Now that the Court is sufficiently advised of the fact that the numbers on SBC's bankruptcy petition are fabricated and the Court is in custody of the forged documents and shipping documents, I will now ask that these forged documents be entered into evidence and that the Court adjudicate the order from which the movant and I are seeking relief based on the forgeries in evidence and all inferences that can be made from "the New Evidence."

If the Court knew that documents were in its legal custody were forged at the First Day's Hearing – it would have immediately recognized that it was not the only jurisdiction that should have legal custody of these documents. Where now are the forgers and why hasn't anybody been accused of forgery? The major bad actors who played critical roles in this Ponzi scam pre-petition are "James Li, Thomas Chow, Christopher Liu, John Wu and Michael Wu." So the Court should accept as fact that John and Michael Wu were not arms-length buyers; they were members of a ring of forgers who were buying back forged documentation and falsified books and records. All the fabricated numbers on the Asset Purchase Agreement should immediately be corrected and the correct number for many of the fabricated entries on the Asset Purchase Agreement is zero. The schedules of the Asset Purchase Agreement includes at least $108 million in fabricated

numbers representing $78 million in receivables from SCHOT, Olevia Far East and three Kolin subsidiaries. The phantom inventory represented as being in the custody of Kolin was listed as having a value of $30 million. Michael Wu and John Wu knew those were fabricated numbers and Silver Point knew or should have known that these were fabricated numbers. Not only was Silver Point a sophisticated party, Silver Point had control of cash disbursements prior to the filing of the petition and Silver Point was entitled to weekly financial reports under the terms of the Silver Point Loan facility and Silver Point had time and resources and ample talent to negotiate the Asset Purchase Agreement and Silver Point had an opportunity to do due diligence and Silver Point continued to get disbursements from the debtors estate after the petition was filed and Silver Point had an inflated claim to the assets of a Ponzi Scam.

John Wu and Michael Wu were represented by a top Law firm at the First Day's hearing. John Wu and Michael Wu will not appear on April 13, 2016 because the Court will order that they be arrested until they pay on the $1.2 billion judgment currently outstanding. So the Court must take into consideration the facts that can be inferred from the forgeries and understand that Michael Wu and John Wu knew what they were buying in the Asset Purchase Agreement and were active participants in the Ponzi scam and derived benefits from PIPE transactions. I doubt if they will show up the hearing on this motion on April 13, 2016. And if they do show up at the hearing, I expect them to show up with a $1.2 billion judgement to be paid to the debtors' estate – not Silver Point.

And the Court should take note that Silver Point now has an exclusive claim to this $1.2 billion due to the terms of the Chapter 11 Plan negotiated between Silver Point and Greenberg Traurig. Silver Point had a $112 million claim at the time the petition was filed. And so that even if they were entitled to assert a claim under the absolute priority rule, they were not entitled to the full $1.2 billion.

So that Silver Point has been holding a billion claim that simply doesn't belong to it. And the Chapter 11 plan reserved for Silver Point the total proceeds of the TCV judgment that with penalties has a present value of $1.2 dollars that rightfully belongs to the estate and Silver Point should be held responsible for the entire $1.2 balance even if it hasn't managed to collect it because it prevented the rightful owners from collecting it for seven years.

Silver Point has already collected the proceeds of the Vivitar Transaction and the proceeds from $20 million in receivables and the cash in the SBC's accounts at Preferred Bank. So any disbursements to Silver Point after the filing of the petition must be immediately returned to the debtors' estate – not the Liquidation Trust.

Vivitar was acquired over a year before the Silver Point loan. It was not purchased from the Silver Point loan proceeds. It was purchased by the issuance of shares. So it was in the stolen pool of money hauled by the architects of the SBC Ponzi scam. Vivitar's assets were in consideration for the sale of shares. They were not purchased through the proceeds of the Silver Point loan. If James Li borrowed money from Silver Point to defraud investors in his Ponzi scam, you cannot

hold investors in the Ponzi scam liable. Silver Point should file a claim against James Li to recover the proceeds. Even if Silver Point claimed that James Li stole its money, it could only have been secured by the real assets of SBC not by some fabricated number backed by forgeries. Silver Point lent money to an estate that was valued as having $323 million dollars. What were the real assets of the estate at the time Silver Point gave SBC $150 million? Vivitar and some cash and receivables. SBC was very light on assets. SBC did not own real estate. SBC did not even own an assembly line; it contracted the light assembly to Solar Link (which was spun off from SBC).

To the extent that Silver Point has any legal claims on the debtors, it can only make those claims on the real assets of the estate and not on the money that was stolen by the SBC Ponzi scam. That money was stolen from the proceeds of the 93 million worthless shares that SBC issued as a public company. The proceeds of those stolen shares belonged to shareholders and any assets that they had acquired with those stolen money were acquired before the Silver Point loan. SBC did not pay cash for Vivitar – it paid in shares. It is the only asset that remained of the stolen money, aside from cash and receivables. So whatever was in the till on September 30, 2007 was from the proceeds of stolen money. The proceeds of the Silver Point were used in the Dark Period to pay $80 million off the Preferred Bank loan. The balance was used to disburse funds in the Dark Period, and to finance the journey through the Chapter 11 'process.' Of that money, at least $10 million was disbursed to Greenberg Traurig and $10 million was disbursed to FTI Palladium. And of that $20 million, $10 million was disbursed by this Bankruptcy Court. It is also clear that Greenberg Traurig and FTI Palladium and Silver Point and SBC's officers and directors deepened insolvency by filing SBC's abusive Chapter 11 petition. Greenberg Traurig has already been compelled to pay back $3.5 million for delaying the filing of the Chapter 11 petition. The Liquidation Trust has already testified that he had estimated that Greenberg Traurig's pre-petition misconduct had deepened insolvency by $30 million. SBC was a Ponzi scam and it was insolvent when Silver Point made the loan.

Silver Point's claim is inflated and includes penalties and assets and commissions and proceeds from trading in SBC shares. So the Silver Point Claim is also a fabricated number justified by other fabricated numbers. The approximate assets on the estate are inflated by at least a $108 million. That leaves a maximum of $70 million in assets. And the Vivitar assets were purchased from the proceeds of the 93 million shares and is approximately $30 million. That leaves $40 million to cover cash, receivables and the value of a brand name for a Ponzi scam. And the receivables and cash do not all belong to Silver Point. They are what is left of the stolen money. The absolute priority rule does apply to Ponzi scams. Even if Silver Point was an innocent party, it could only assert a claim for restitution. Instead, it chose to inflate its claims and inflate the assets of the estate. Without the Vivitar assets and without the brand name, the assets of the SBC Ponzi scam was the receivables and the cash. As of now, we do not even have an estimate of how much the loan fees, interest and penalties were disbursed to Silver Point in the Dark Period. Silver was charging 17% as of the petition rate. Any assessments of damages must be levied at the same rate. It might well be that Silver Point was already better than even and had managed to recover

all or a majority of its $150 million loan. We can do the math but we can't do it without the numbers and only Silver Point has the numbers.

The Liquid assets of the Liquidation Trust should be immediately be added to the assets of the debtors and this case should be treated as a Chapter 7 on April 13, 2016. As a pro se litigant, I expect that the United States Trustee and the Court will have appropriate forms of order prepared to convert this case to a Chapter 7 on April 13, 2016 to expedite recoveries and distributions. And I also expect the Liquidation Trust and his Pepper Hamilton to disqualify themselves from further engagement in these proceedings. I believe they will have other problems on their hands from future lawsuits. But before they go, they must make full disbursements of all monies received from the proceeds of this Ponzi scam with 10% interest pending other complaints to be reserved for the Chapter 7 Trust. Any language, in any of the Bankruptcy Court orders that limits in any way the right of any shareholder to file complaints against the Liquidation Trust must now be vacated. Any exculpatory provisions in the plan against any party must also be vacated.

Under the bankruptcy code, Ponzi scams are not eligible for Chapter 11 petitions and they don't have any business appearing in any Court and posturing as a going concern that can be reorganized. The company was never the good company and the only business model it ever had was to forge documents to sell 93 million shares to investors who even today are unaware of their paths to recovery and the avenues of restitution.

The SEC filing shows that James Li was fined for the shares he traded and so was Thomas Chow. Except that the judgement against Thomas Chow is four times as large as the judgment against James Li. Why did Li have four times the shares that James Li had? Because Chow was one of the main architects and financers of this scheme to defraud by way of forgery. Chow was at once an officer and director and owner of SCHOT. To add to the intricate web, Kolin was also a partner in the SCHOT operation.

The SEC judgement assumes that only a few million of the 93 million shares were traded on insider information. And you can see here where the SEC Enforcement Division filed a deficient complaint that addressed only a fraction of the shares that had been sold by SBC's officers and directors and major investors like Kolin which had the largest stake in Syntax before the merger. Every share issued by SBC was not only illicitly traded, it was sold with the intent to defraud by way of forgery.

Vincent Sollitto also had a large stake and he was the CEO of SBC who signed off on the seven SEC filings including the September 30, 2007 quarterly report. He was Chairman of the Board of Directors and resigned from the Board after he authorized the filing of SBC's petition.

The total proceeds of these 93 million worthless shares are north of $500 million. We will try to provide the Court with a more precise amount by the hearing date. That was all stolen money and it was all stolen before the proceeds from the Silver Point loan was thrown into the pot.

If you look at this Ponzi Scam, you will note that Preferred Bank was not only lending SBC money from 2004, it lent out money secured by a $10 million Kolin cash deposit and that cash collateralized loan was closed by Preferred Bank a week before the petition was filed on June 26, 2008. The Kolin $10 million cash deposit was from the proceeds of this Ponzi scam. In fact, it was the 'loan' that financed this Ponzi scam. So Kolin was at once the lender to SBC, the only supplier of Olevia branded TVs and the major seller of the worthless SBC securities. That $10 million dollars was stolen money. Even a cash collateral loan cannot be redeemed from stolen money.

The Silver Point loan paid off the Preferred Bank loan. So that Preferred Bank didn't just recover its original loan but Preferred Bank kept all the interest and penalties and loan fees that it had earned and still had its hands out for more and filed claims against the debtors' estate. So all interest and penalties and fees paid to Preferred Bank must be returned immediately at present value plus appropriate penalties.

And the Third Circuit has already ruled that it is the borrower's intent that matters when the operators of a Ponzi scam borrow money with the intent of defrauding other parties. If Preferred Bank had legitimate claims, why didn't they report the forgery to California Bank Regulators that it had been a victim of bank fraud and that it had lent money to a Ponzi scam and that the money borrowed was comingled with the money the Ponzi scam took in from the sale of 93 million shares and that shareholders had no obligation to pay Preferred Bank and the officers and directors who were running the Ponzi scam and were not legally authorized to make any SBC disbursements from the pool of stolen funds or to take out loans in the name of the SBC Ponzi scam.

Preferred Bank's relationship with SBC spans the entire life time of this Ponzi scam and Preferred Bank is still actively involved in these proceedings. Preferred Bank was a sophisticated party and the Wu clan had financial interest in Preferred Bank which was founded as a correspondent bank by the Wu clan. The SBC loan was nearly 50% Preferred Bank's capital. That would never cross a bank examiner's probe. And if the loan was made good, no bank examiner would have cause to intervene. But now Preferred Bank and Silver Point must accept as fact that all the loans and credit lines were backed by only the real assets of a Ponzi scam and not the money stolen from investors. Since the proceeds from the sale of shares was comingled with the proceeds from the Preferred Bank loan and the Silver Bank loan, they are all considered stolen funds. The Kolin cash deposit which was cashed out on June 26, 2008 belongs in the pool of stolen money and Preferred Bank must return it with interest and penalties comparable to the terms of the loan which by my calculation would be on the order of $40 million.

The officers and directors of Preferred Bank have yet to be deposed on their relationships with TCV. If Preferred Bank turns out to be, as alleged, a bank owned by members of the Wu family –

then there are causes of action that must be pursued by the Chapter 7 trustee for the recovery of those funds. Preferred Bank, as financier of this Ponzi scam all through the SEC filing period, must be held jointly responsible for the $1.2 billion outstanding judgment against TCV and since the entire judgment cannot be satisfied by the capital of Preferred Bank, the Banking Regulators and FDIC must immediately seize the assets of Preferred Bank and I move the Court the to place a lien on the assets of Preferred Bank. For now, I will be satisfied with a $200 million judgment against Preferred Bank pending further discoveries and depositions.

I want to see funds moving back to the debtors' estate with the same expediency that the court approved the critical vendor disbursements to Digimedia at the First Day's Hearing over the objection of the United States Trustee. I am Pro Se and I will leave it to the Court and the United States Trustee to prepare appropriate forms of order against Preferred Bank.

I will also note that had the Court known about this Ponzi scam and the forgeries prior to the First Day's Hearing, the Court would never have mistaken SBC for a company that was qualified to file under Chapter 11 and would never have entered the order I am seeking relief from.

In seeking that order, I believe the Court must grant relief to all shareholders who owned shares on the day the petition was filed, on an equitable basis, regardless of whether or not they filed a claim. In fact, I would go further and ask that any monies recovered from the bad actors involved in this Ponzi scam should also require compensation to all shareholders who lost money to this Ponzi scam since the company went public. And that would require some research. So for now, I shall seek relief for the owners of the 93 million shares on record and leave it to the Court to put aside appropriate reserves for other victims of this Ponzi scam.

And this raises another point. At the time the petition was filed, all shareholders owned the same class of shares. But there have been varying outcomes due to the concealment of these forgeries and none of those outcomes are consistent with the absolute priority rule. Some shareholders recovered money from the class action complaints. Some shareholders managed to claim an IRS write off for their losses while the IRS denied other shareholders claims for theft loss. More than a few were audited by the IRS when their theft claims were not honored. It all depended on the IRS agent who was handling the claim. There were shareholders who were never represented and shareholders who were represented by competent and expensive lawyers in the class action suits and those shareholders had their legal expenses paid out of the settlement. Even James Li, Thomas Chow and Vincent Sollitto had their legal expenses paid by the D&O policy. A $10 million dollar settlement was paid to the class members.

And to make it all good, Greenberg Traurig attorneys defended the forgers James Li and Thomas Chow and even James Li's and Thomas Chow's legal bills in the SEC complaint was paid through the D&O insurance. And the premiums for that policy continued to be paid out of the SBC Ponzi scam proceeds stolen from shareholders. When the examiner suggested that additional expenses for further investigation could be carved out from the D&O policy, Greenberg Traurig argued that it would duplicate their efforts.

After entering an order impeaching Nancy Mitchell and Gregory Rayburn's testimony. I will ask the Court and the United States Trustee to prepare forms of order for restitution from Greenberg Traurig for all monies dispensed to Greenberg Traurig pre-petition and post-petition in this Court or in the United States District Court of Arizona. The Court should accept as a preliminary figure an initial judgment of $100 million and must impose a lien against the estates and properties of Nancy Mitchell and Greenberg Traurig pending a final economic analysis of the amount of damage Nancy Mitchell and Greenberg Traurig inflicted on the innocent victims of this Ponzi scam.

If it is determined that Nancy Mitchell and Greenberg Traurig are guilty of forgery – the entire assets of Nancy Mitchell and Greenberg Traurig are subject to confiscation. The penalties for forgery in California and Arizona and Delaware come under Title 18 and mandate the confiscation of the assets of a forger. And this Court does not have the jurisdiction to rule on a Title 18 forgery statute. But the likely prospect of charges of forgery in other jurisdictions is enough to justify an immediate lien on the property of Nancy Mitchell and Greenberg Traurig.

When the issue of forgery is addressed in the proper jurisdiction, the possession or concealment of evidence of forgery will in all likelihood be considered a crime of forgery. And when the proper jurisdiction decides on who can be considered to have acted as a forger in the SBC Ponzi scam, Greenberg Traurig will likely have no credible defense against the evidence that is now before the Court. And neither will Silver Point.

Relief from this order is mandatory and to continue to impose the order accepting as evidence the Rayburn Declaration or Nancy Mitchell's impeached testimony would be a manifest injustice rising to the level of tyranny.

So if we could roll back time to the First Day's hearing, we will see that the only people who didn't know about the forgeries were the United States Trustee and the Court. You will also notice that Michael Wu and John Wu are gone and their lawyers are gone. And the other people at that hearing were the officers and counsel of the debtors whose testimony and affidavits are now impeached. And the only other party that was represented was Silver Point which had negotiated that Asset Purchase Agreement with TCV and consented to the fabricated numbers listed on the Chapter 11 petition.

Even if Silver Point did not know that those assets were fabricated, their legal representatives had been present at the Examiner's Hearing and had reviewed samples of the forgeries while the examiner was giving his report to the Court on October 3, 2007. And that Silver Point stood to be the only beneficiary of any recoveries from the $1.2 billion judgment entered against TCV. And that the Silver Point loan would have been not only paid in full, but Silver Point would have made a nice profit had TCV performed on the terms of the Asset Purchase Agreement that was approved by the Court on August 20, 2008.

The Third Circuit has issued an Opinion that includes a vacation of an order of the United States District Court that specifically directed the United States District Court's attention to the Asset

Purchase Agreement and that the Third Circuit Opinion came from the Appeal of the sanctions motion against Greenberg Traurig filed by Ahmed Amr.

The District Court sat on a frivolous motion based on an error made by Clerk of this Court. The Clerk of this Court didn't stamp the notice of Appeal when he received it. I've noticed that the Clerk of the Court sometimes doesn't even bother to file pro se motions. The examiner's report was never filed by the Clerk of the Court. Ahmed Amr's first motion to sanction Greenberg Traurig was returned and was not filed because the Clerk had an issue with the requested hearing date which could have been sorted out by phone.

That one frivolous date motion has now delayed the sanctions motion by three years and the United States District Court is still sitting on it. It would greatly assist the United States District Court of Delaware which appears to have no time to properly adjudicate a date stamp if this Court will notify the District Court that the matter of Ahmed Amr's status has been resolved in his favor as of this Court's approval of a settlement that gave him pecuniary rights in the debtors' estate even within the context of these illicit proceedings.

SBC was not legally qualified to file a Chapter 11 petition and the filing was made by officers and directors and counsel that were concealing evidence of forgery to gain from the proceeds of circulating the forged documents. All parties who participated in any material way in concealing these forgeries and all parties who continued to conceal these forgeries until the Court entered them into evidence must be held liable for forgery and for all damages inflicted on shareholders – including damages to health, loss of life and economic hardship.

And in assessing those damages, the Court shall start by taking account of a suicide victim – Dr. Michael Kushner. I believe that the suicide victim was not alone – but his claim is the largest and it must be paid in full from the assets of the estate at present value from the monies recovered on April 13, 2016. If he were still alive, he would certainly be at the hearing. He has already represented himself in the hearings and his testimony should be reviewed by the presiding judge in considering the amount of immediate relief his claim should be awarded. In his stead, I believe his wife and son will appear to represent themselves pro se. I trust that, in addition to granting them immediate relief, the Court shall accord them the respect they deserve and some apology for the harsh outcomes of these proceedings and the Court shall take into consideration how the violations of their due process led to Michael's demise.

I would also trust the Court will prepare forms of order to give the movant and the intervenors immediate restitution. Given the iniquity that this Court has already inflicted against the intervenors and the fact that some of the intervenors are advanced in age, the Court must assess a present value for the claim based on the amount of their claim at the time the petition was filed. And forms of order based on the amounts claimed will be prepared by the United States Trustee or the Court approving immediate relief. For now, the present value of my losses are close to $100,000. So I need a form of order ready on April 13, 2016 and I will by this motion move the court to approve the order.

Without the work product of Ahmed Amr, Charles Cerny, Amr Amr and Cliff Bauxbaum and Alan Levine and the intervenors who are all activist shareholders, there would be no recoveries for the 29,000 shareholders who have not even been noticed on the April 13, 2016 hearing. We have all acted together and stood up for their rights and for the public interest of the uninformed and unrepresented victims of this Ponzi scam.

Conclusion

It would be an act of tyranny for this Court to further delay relief from an order that can no longer stand the evidence in the records of these proceedings. It would be a manifest injustice to ignore the obvious the legal conclusions and findings of fact. And it would be an obstruction of justice if this Court did not give immediate relief.

There is no legal jurisdiction or venue to file a Chapter 11 petition for a Ponzi scam. You just can't reorganize a Ponzi scam. You can conceal evidence of a Ponzi scam to file a Chapter 11 petition but I believe that would be handled under Title 18 Bankruptcy Fraud Statutes over which this court has no jurisdiction.

The Court and the United States Trustee is obligated to refer the matter to the United States Attorney General and I would like assurances from the United States Trustee and the Court that the forgery is properly brought to the attention of United States Attorney General, the Inspector General of the Securities and Exchange Commission, the IRS and the Postal Service, the Bankruptcy Fraud Task Force and the Secret Service and the FBI and the Banking Regulators in California and the State Attorney General for the State of California, Arizona, Delaware, Washington and New York. And I expect a lot of transparency going forward and I want to see expedient measures taken by every officer of the United States government who has knowledge of these forgeries and the SBC Ponzi scam. I want this Ponzi scam properly investigated and prosecuted.

There are causes of action against many United States officers that shareholders may pursue in other jurisdictions. And I will identify the United States Officers that we may take legal action against as Sean McKessey and Michael Hurwitz and Alan Maza and other SEC officers in the Enforcement department.

I would also expect that the SEC will remove Alan Maza from this case and assign another SEC attorney to these bankruptcy proceedings and assign an attorney from the SEC office of the Inspector General to provide assurances that the SEC will live up to its mandate and start to honor their obligation to intervene in these bankruptcy proceedings. The SEC officers named above have absolutely no discretion in the matter.

I would hope that the United States Office of the Trustee will appoint another attorney from their offices and assign this case to a member of their staff from outside the Third Circuit to assure the integrity of the process going forward.

The jurisdiction of this Court is limited. After according relief from the order admitting fabricated evidence into the record and admitting into evidence the forgeries and the evidence of how the forgeries were used and issuing orders for immediate restitution to the victims of this Ponzi scam, this Court has the inherent power and the mandate and the obligation to recover as much of the recoverable assets disbursed since the date the petition was filed. Most of those disbursements have gone to Silver Point, Digimedia, FTI Palladium, Greenberg Traurig, Pepper Hamilton and other professionals of the estate. The TCV judgment should be turned over to the Chapter 7 Trust and Silver Point's claim against the assets of the SBC Ponzi scam must be purged from the outstanding claims. That can all be taken care of at the hearing on April 13, 2016. I trust that the Court and the United States Trustee will prepare appropriate forms of order so we can expeditiously recover stolen funds and expunge Silver Point's claim.

I would like to recommend that James Feltman be considered for that appointment of a Chapter 7 trustee. If that can be arranged by the United States Trustee prior to the hearing, it would greatly expedite the process. I would, at least expect the United States Trustee to have a list of candidates with the integrity to represent all the shareholders who are the single largest constituency of the assets of the SBC Ponzi scam. I will also ask the Court to appoint a shareholder committee with a budget to investigate other causes of action that need to be perfected with new additional discoveries. I would like the movant, Ahmed Amr, Charles Cerny, Cliff Bauxbaum, Alan Levine, Rod Comer and all the other intervenors to be represented on that Committee if they so desire.

Moving forward, I expect that we shall quickly convince Silver Point to release its trading records I expect no further impediments to discovery and complete access to other SBC documents including the complete SBC Board of Director minutes and Vivitar Board of Director Minutes. The Liquidation Trust has already destroyed the Vivitar records. If they have not retained a copy of Vivitar's Board of Director minutes, I should at least like to know if Greenberg Traurig or Silver Point Attorneys attended Vivitar's Board Meetings and if any funds were pumped into Vivitar from the stolen SBC funds.

I expect that between now and the hearing, the Liquidation Trust will be convinced to cooperate with shareholders and cease and desist from concealing evidence of the forged documentation in their custody and assist shareholders in answering a few basic questions like when the last forged documents were entered into SBC's books and records. I would like that information emailed to montraj@yahoo.com and to all the other intervenors and to the movant before the hearing on April 13, 2016. We need that hearing to be transparent and fair and constitutional.

My Constitutional Rights

My father was born on a Dairy farm on the New York Vermont border. He died of diabetes at 60. When his medical diabetes was diagnosed, he decided to further his education at Green Mountain College and got a job with the government.

He left the farm with his wife and his first born, Charles, the last Warren born on the farm. Charles Warren is now a retired surgeon living in California.

My older brother served as a flight surgeon in the Vietnam War, a war my father and mother were very much against. My entire family was against the war but we never shirked our responsibility to handle our fair share of whatever fight the government was embroiled in. My father had connections in the government but it would never have occurred to him or to Charles to use those connections to dodge the draft or avoid service. My dad was a patriotic New York Yankee, a US government agent and if the Army wanted to send his son off to war, that was a decision he left to the army. Because my father didn't think his son deserved more or less than other people's children.

A few years after he became a Federal civil service, my father sold the farm that had been in the family since Gideon Warren got title to it from the United States Government in consideration for the wounds he sustained in the Service of the Continental Army that chased King George's occupation army off our land. And, during the darkest moments of the Second World War, the farm was still owned and farmed by the Warren clan and provided safe harbor and shelter to the wives and children and the kin of the Warren men who answered the call of duty and went off to battle the Nazis, Italian fascists and the Japanese.

My dad left the farm for a government job and continued to be employed by the government until he had a stroke. He got back on his feet and was back at work when the second stroke killed him.

So my father was the kind of civil servant who went were the government wanted him to go. As a result, three of his four children that were born off the farm were born in different cities. From the day he quit farming till the day he died, he was a United States Federal Employee and a Director and Administrator with the Social Security Department. He had joined the Social Security Department when it was first established and was one of Roosevelt's 'New Deal' warriors.

In his line of work, my dad often had to deal with forged signatures on stolen social security checks. As a trustee for the largest public trust fund in the world, he understood his responsibility to make certain that the only people who got disbursements from his agency were the people who were legally entitled to disbursements.

So when an old lady came into the office and complained to his staff that her social security check was stolen from her mail box, his staff would look into the problem and if the check had been cashed, it didn't take long for him to make sure that the old lady got immediate restitution and a replacement check. An Administrative Case file would be opened and the case would have gotten the immediate attention of the Syracuse Police and the FBI. As an Administrator of Social Security, my father would have treated that old lady with respect and made certain that she got what the government owed her expeditiously.

The mandate of a Social Security administrator is not so much different than the mandate of this administrative Court. It is a limited mandate. My father administered the public funds in the Social Security Trust Fund in accordance with the Social Security Act and in accordance with the rules of the Social Security Department. He had worked his way up Director of Social Security Department for the Syracuse region, and in dealing with that old lady, he would have performed the service with integrity.

I wonder now what my father would have thought of this case and these proceedings. To his ear, this case would have sounded like the equivalent of 29,000 old ladies from Syracuse filing similar claims on the same day. But, before it became a matter under his jurisdiction, at least one old lady would have to walk into his office to file a complaint. And if the claims poured in and they were essentially the same claim, he would treat them according to the law and the rules of his department.

And he would quickly try to determine how many of the stolen checks were signed and then, if their 'lost check' story checked out, he would have issued new checks to all the ladies and assured them that the FBI was on the hunt for the guy that forged his signature on 29,000 United States Government checks. And if he traced all 29,000 checks and found them deposited in a few accounts in a single bank– he'd start wondering about the bank and he'd wonder if the bank knew what they were up to and if the bank's officers were related to the owners of the account. It is also certain that he would have his concerns made known to the FBI and bank regulators would seize whatever was left in those accounts because they contained the proceeds from the 29,000 forged government checks.

Within the bounds of his mandate, he would start by researching if some little old ladies didn't even know if their check was stolen. My father knew his clients - he knew and cared about the people that depended on those checks and if somebody stole their check, he'd want to make sure that they got fair restitution from the Social Security Department – regardless of whether they were aware that they were victims of forgery. As to prosecuting the forger – that was out of his mandate. He left that to local and state and federal officers with guns and forgery labs.

So I would begin by comparing the way my dad would have applied fairness, common sense and urgency to the 29,000 old ladies and how the due process of the victims of the SBC Ponzi scam were mangled in this jurisdiction.

It should not take eight years to enter forged documentation into the record. I would add that some of the victims of these proceedings didn't just lose one social security check, some lost more than they will ever make up in social security payments. One of us lost nearly a million dollars.

I am a New York Yankee and if you knew anything about my people you would know that they never boast about their pedigree, because you don't have to boast about something that is easily recognized. So I am not using my pedigree as a daughter of the American Revolution to sway the decision of this Court. Quite the contrary; I think that my pedigree should have no

bearing on the outcome of this motion. In fact, I shall insist that my pedigree have zero influence on the Court's decision. The fact that I come from a clan that shed blood for the cause of the Republic before the Constitution became the highest law in this land should be cast out of the court's decisions on this case. But I shall insist that this Court cease and desist from mangling my constitutional rights to due process. And if I don't have the right to proceed on true evidence, there can be no due process.

I would like to inform the Court that behind every good pro se litigant is a supportive woman. I edited every motion Ahmed Amr filed in this court. I edited both books he wrote on this case. That might explain why I am more informed than the movant and other intervenors.

My mother's side of the family were the townies who carved stone from the Vermont Quarries that built the skyscrapers of Manhattan. They were every bit as patriotic as the New York Yankees and had come to America in flight from the despotic British rule of their homeland. I suspect some of my distant Irish relatives died in the 1916 Easter Rising. I've never been to Ireland. But you'll always find me standing up against any sign of tyranny.

I am the first generation of Warren that was not born on Gideon Warren's farm. I am now a North Westerner and identify myself as a Seattle native. We have clean government out here. I continue to have faith in the federal and state judges in my jurisdiction. And, aside from pursuing my rights in these proceedings, I will likely pursue causes of action in Washington States' federal and state courts. I am certain that other shareholders will pursue causes of action in other jurisdictions. It is likely that causes of action arising out of this Ponzi scam and its many enablers will allow every shareholder to file claims for damages against officers of the United States Government in every District Court in the country.

I do not come before this Court to ask for any special consideration on account of my health; I am just happy to be alive. And I do not come to this Court to seek any special privileges. I just wanted to be treated like any one of the little old ladies who lost money to this Ponzi scam.

The SBC Ponzi scam issued one class of stock. No all the 29,000 shareholders were little old ladies. Some of them were first responders who got partial restitution from the class action suits. But most of them don't have a clue and are as blind as mice because they don't even realize that they were victims of a Ponzi scam. They're not ever going to come back to this Court. This Court has to go to them and it must begin by notify them that they will be receiving restitution from this Court after a Chapter 7 Trustee is appointed. Hundreds of them will be dead by now and the Chapter 7 Trustee must make every possible effort to locate their legal heirs.

So there is a lot more work that will have to be done by the Chapter 7 Trustee and we want a Chapter 7 Trustee who hits the ground running and handles the interests of the shareholders with the same diligence my dear old dad handled his duties. I would also expect the same from

this Court going forward. And I would like to make certain that this Court will act to correct its previous errors and steer this case in the right direction.

Many of us harbor deep concerns about the integrity of these proceedings and the presiding judge. We also harbor deep concerns about the integrity of the District Court of Delaware. We retain our confidence in the Third Circuit which, by its recent rulings, have turned this case around and treated shareholders with respect.

I would like Judge Brendan Shannon to recuse himself from these proceedings. I would also like that a replacement appointed by the Third Circuit to preside over the hearing of this motion on April 13, 2016. We believe that Judge Brendan Shannon issues edicts based on his assessment of the pedigree of the individuals appearing before his Court. Social pedigree has no place under the constitution. I don't care who Edward Mule is and I don't care that Citibank is one of the bad actors and I don't care who Nancy Mitchell is or who Victoria Counihan and neither should the judge. They have all violated my due process and conspired to conceal evidence of forgery.

I hope to have my day in Court and a fair hearing on April 13, 2016. If my father was the presiding judge in this administrative case, I know what the outcomes would have been and I would not have had to wait for eight agonizing years to get a judge who gets it. There is only a few numbers on the petition and the Asset Purchase Agreement. All you need is a rudimentary understanding of accounting and common sense to figure out this Ponzi scam.

So by this motion to intervene, I move from relief from the First Day bench order under Rule (60) that admitted the fabricated evidence into the record of these proceedings and I incorporate in my motion the movant's motion and exhibits and Ahmed Amr's Affidavit. And I move the Court to impeach the testimony of Nancy Mitchell and Gregory Rayburn at the First Day's Hearing and to impeach the Rayburn declaration. I also move the Court to convert this Chapter 11 to a Chapter 7 and I also move the Court to direct the United States Trustee to write appropriate forms of order to give the relief mentioned in this order and I also move the Court to notify other Federal Jurisdictions of the forgery and I also move the Court to abandon exclusive custody of these forged documents and I also move the Court to abandon exclusive jurisdictions over causes of action mentioned in this motion and the associated filings incorporated into this motion and I also move the Court to consider appropriate sanctions for Nancy Mitchell and Gregory Rayburn and Edward Mule and the Liquidation Trustee and his counsel and I also move the Court to immediately turn the forgeries in his custody to the FBI and Secret Service for further analysis and to alert Bank Regulators in the State of California and I also move the Court to grant any other relief that is appropriate and equitable.

Respectfully

Denise Warren

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425-672-1307

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

In RE: Syntax-Brillian Corporation, et al. Bankruptcy Case No. 08-11407

Certificate of Service

This is to certify that on March 28, 2016, I, Denise Warren, representing myself pro se have delivered a copy of the Motion to Intervene in Alan Levine's motion for relief from the First Day's Order accepting into evidence the Rayburn Declaration. I served the motion to the following parties:

The Clerk of the Court
US Bankruptcy Court
District of Delaware
824 N Market Street

3rd Floor
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Via Priority Mail

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